

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CHEHALIS CHILDREN'S CLINIC PS,

Plaintiff,

v.

WASHINGTON STATE HEALTH CARE  
AUTHORITY,

Defendants.

Case No. C20-5185 TLF

ORDER GRANTING SUMMARY  
JUDGMENT

This matter comes before the Court on the Court's Proposed Order and Order to Show Cause (Dkt. 38) and the parties' responses (Dkt. 41, 42).

The factual and procedural background underlying this action was addressed in the Court's Proposed Order. Washington State Health Care Authority filed a motion for partial summary judgment arguing that the Court should dismiss plaintiff's claims related to the 2009 reconciliation report as barred by the doctrine of res judicata. Dkt. 26.

Chehalis Children's Clinic PS filed a motion for summary judgment arguing that the Court should issue declaratory judgment, declaring that the actions of the Washington State Health Care Authority in assessing claimed overpayments for calendar years 2009 and 2010 violate 42 U.S.C. §1396a. Dkt. 28.

The Court issued a Proposed Order granting Washington State Health Care Authority's motion for partial summary judgment (Dkt. 26), denying Chehalis Children's

1 Clinic PS' motion for summary judgment (Dkt. 28) and granting summary judgment in  
2 favor of Washington State Health Care Authority. Dkt. 38. The Court directed plaintiff to  
3 show cause why the Court should not adopt the Proposed Order and enter summary  
4 judgment in favor of the Washington State Health Care Authority pursuant to Fed. R.  
5 Civ. P. 56(f). Dkt. 38. Both parties have filed briefs responding to the Court's Proposed  
6 Order and Order to Show Cause. Dkt. 41 (Chehalis Children's Clinic PS); Dkt. 42  
7 (Washington State Health Care Authority).

8 The Court, having reviewed both parties' responses, as well the parties' previous  
9 motions and briefing, and for the reasons set forth in the Court's Proposed Order,  
10 hereby finds and orders:

- 11 • The Court adopts the Proposed Order issued on June 4, 2021 (Dkt. 38);
- 12 • Washington State Health Care Authority's Motion for Partial Summary  
13 Judgment (Dkt. 26) is GRANTED;
- 14 • Chehalis Children's Clinic PS' Motion for Summary Judgment (Dkt. 28) is  
15 DENIED;
- 16 • Pursuant to Fed. R. Civ. P. 56(f) the Court GRANTS summary judgment in  
17 favor of Washington State Health Care Authority and Chehalis Children's  
18 Clinic PS' claims are dismissed with prejudice.

19 Dated this 23rd day of August, 2021.

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22 Theresa L. Fricke  
23 United States Magistrate Judge  
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